



## Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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### FINAL MINUTES FOR EMERGENCY SUMMARY ACTION MEETING

Held at 1:53 p.m. on December 2, 2004

9535 E. Doubletree Ranch Road - Scottsdale, Arizona

#### ***Board Members***

Edward J. Schwager, M.D., Chair  
Sharon B. Megdal, Ph.D., Vice Chair  
Robert P. Goldfarb, M.D., Secretary  
Patrick N. Connell, M.D.  
Ingrid E. Haas, M.D.  
Tim B. Hunter, M.D.  
Becky Jordan  
Ram R. Krishna, M.D.  
Douglas D. Lee, M.D.  
William R. Martin III, M.D.  
Dona Pardo, Ph.D., R.N.  
Chris Wertheim

#### ***Board Counsel***

Christine Cassetta, Assistant Attorney General

#### ***Staff***

Barbara Kane, Assistant Director  
Beatriz Garcia Stamps, M.D., M.B.A., Board Medical Director  
Gary Oglesby, Chief Information Officer  
Tricia Steffey, Board Coordinator  
Susan Ahn, Legal Coordinator

#### **CALL TO ORDER**

Edward J. Schwager, M.D., Chair, called the meeting to order at 1:53 p.m.

#### **ROLL CALL**

The following Board Members were present: Edward J. Schwager, M.D., Sharon B. Megdal, Ph.D., Robert P. Goldfarb, M.D., Patrick N. Connell, M.D., Ingrid E. Haas, M.D., Tim B. Hunter, M.D., Becky Jordan, Ram R. Krishna, M.D., Douglas D. Lee, M.D., William R. Martin, III, M.D., Dona Pardo, Ph.D., R.N. and Chris Wertheim.

#### **CALL TO PUBLIC**

No one was present for the call to public.

NO.	CASE NO.	COMPLAINANT v PHYSICIAN		LIC. #	BOARD RESOLUTION
1.	MD-04-1423A	AMB	CLARENCE E. RODRIGUEZ, M.D.	14409	Summarily suspend the license of Clarence E. Rodriguez, M.D., because his relapse represents a danger to the public health, safety or welfare and imperatively requires the Board to take emergency action.

Wendy Nicholson, Division Chief, Professional Conduct Division, reviewed this case with the Board. She stated that the Board received an anonymous complaint stating that Clarence Rodriguez, M.D., reported to work smelling of alcohol and marijuana. Subsequent to receiving the complaint, Board staff discovered that Dr. Rodriguez had received a DUI in July 2004 and failed to report this to the Board. Following an Investigational Interview with Board staff, Dr. Rodriguez was asked to voluntarily cease practicing and undergo evaluation at a board-approved treatment facility. Dr. Rodriguez agreed and presented at the Betty Ford Clinic on November 30<sup>th</sup>, 2004. He was discharged on December 2, 2004 with a diagnosis of cannabis abuse and alcohol dependence. The Betty Ford Clinic recommended that Dr. Rodriguez not be permitted to return to work.

Christine Cassetta, Board Counsel, stated that this is Dr. Rodriguez's fourth relapse. She also clarified, in response to a question asked by a Board Member, that the Board may give the physician until the end of the business day to voluntarily remove himself from practice or surrender his license. However, in this case, Board staff has been unable to reach Dr. Rodriguez since his discharge from the Betty Ford Clinic.

**MOTION: Sharon B. Megdal, Ph.D., moved to summarily suspend the license of Clarence E. Rodriguez, M.D., because his relapse represents a danger to the public health, safety or welfare and imperatively requires the Board to take emergency action.**

**SECONDED: Patrick N. Connell, M.D.**

Sharon B. Megdal, Ph.D., stated that Dr. Rodriguez has a history of multiple probations for substance abuse with drug and alcohol monitoring. He has relapsed and failed to report a DUI to the Board. Patrick N. Connell, M.D., spoke in support of the motion stating that it appeared that Dr. Rodriguez had very little insight of his problem during the Investigation Interview that took place on November 24, 2004. Edward J. Schwager, M.D., spoke in support of the motion stating that Dr. Rodriguez presents imminent harm to the public.

**ROLL CALL VOTE was taken and the following Board members voted in favor of the motion: Edward J. Schwager, M.D., Sharon B. Megdal, Ph.D., Robert P. Goldfarb, M.D., Patrick N. Connell, M.D., Ingrid E. Haas, M.D., Tim B. Hunter, M.D., Becky Jordan, Ram R. Krishna, M.D., Douglas D. Lee, M.D., William R. Martin, III, M.D., Dona Pardo, Ph.D., R.N. and Chris Wertheim.**

**VOTE: 12-yay, 0-nay, 0-abstain/recuse, 0-absent**

**MOTION PASSED.**

Meeting adjourned at 2:08 p.m.

[Seal]

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Timothy C. Miller, J.D., Executive Director